

**REMARKS**

Applicants respectfully request reconsideration of this application, as amended.

Claims 1–2, 5–12, 14, 37–40 and 42–47 were rejected under 35 U.S.C. § 102(e) as being anticipated by Sawyer (US 7,080,328; newly cited). Claim 13 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Sawyer in view of Robinson (US 5,842,218; newly cited), Claim 41 was rejected as being unpatentable over Sawyer in view of Boothby (US 6,212,529; newly cited), Claims 3, 4, 15–32 and 35–36 were rejected as being unpatentable over Sawyer in view of Lamburt (US 6,374,241; newly cited) and Claims 22 and 34 were rejected as being unpatentable over Sawyer in view of in view of Lamburt and in further view of Robinson.

In the interests of securing an expedited Notice of Allowance, Claims 1 and 37 have been amended to recite generating a data item count for each selected data grouping. This feature was originally recited by Claim 3, which has been amended accordingly. Claims 4, 9 and 10 have been amended to comport with Claim 1, while Claims 43 and 47 have been amended to comport with Claim 37. Applicants respectfully traverse the remaining rejections, and submit that none of the cited references, taken either singly or in combination, teaches or suggests all of the features recited by the pending claims.

Sawyer discloses a graphical user interface for filtering a population of items using specific search terms stored within a “library of criteria” that has been “defined” by his system. With respect to a population of securities or stocks, Sawyer’s library of criteria includes search terms related to membership in a specific exchange (NASDAQ, AMEX), classification according to market sector (transportation, finance), capitalization category (large cap, middle cap, small cap), or even individuals, participating in Sawyer’s system, that have selected preferred securities (RyanJ). *See, e.g., Col. 3:20–57.*<sup>1</sup> Sawyer teaches that each search term is displayed as a “peg puzzle piece” within a tab representing a particular set or “grouping” of search terms, such as an exchange/index tab 314 (including NASDAQ peg 342, AMEX peg 344, technology peg 354, finance peg 352), a fundamentals tab 316 (including middle cap peg 362) a community tab 318 (including RyanJ peg 366), etc. *See, e.g., Col. 4:3–21.* Accordingly,

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<sup>1</sup> *See, also, Col. 3:58 to Col. 4:2* (disclosing search terms for a population of mutual funds).

Sawyer organizes his search terms into various groups based upon a common characteristic, e.g., exchange membership.

Sawyer's filter is displayed adjacent to his group tabs, so that search term pegs may be dragged over, and dropped onto, his filter. *See*, e.g., FIG. 3; Col. 4:34–62. Sawyer's filter has three levels, or tiers, i.e., tier one 340, tier two 350 and tier three 360. If Sawyer's filter includes a single search term peg located on any of his tiers, analyzer 108 conducts a search for that specific search term and then generates a list of items that match that single search term (e.g., portfolio 370), as well as the total number of matches (e.g., total number of tickers 372). If several pegs are located on a single tier, analyzer 108 links the search terms together using the Boolean "OR" operator; similarly, if a single search term is located on each tier, analyzer 108 links the search terms together using the Boolean "AND" operator. When several search terms are located on each tier, analyzer 108 first applies the OR operator to each tier's search terms, and then applies the AND operator to each tier's OR search results. *See*, e.g., Col. 5:40–57, etc.

Sawyer fails to disclose generating a data item count for each selected data grouping, as recited by Claims 1 and 37. Similarly, Sawyer fails to disclose generating a summary result that includes a data item count for each user-selected data grouping, as recited by Claims 15 and 25. Instead, Sawyer merely displays the total number of matches corresponding to all of the search terms within his filter (i.e., total number of tickers 372). *See*, FIG. 3; Col. 4:59–62. While the Office Action alleges that Sawyer's total number of tickers 372 anticipates the claimed data item count for each data grouping,<sup>2</sup> this is simply not the case. Sawyer fails to teach or suggest that the number of items matching each search term is generated, or that his filter is updated with these search term counts. Consequently, Sawyer fails to teach or suggest all of the features recited by Claims 1, 15, 25 and 37.

Furthermore, Applicants submit that none of the remaining references cures Sawyer's deficiencies. Specifically, neither Robinson (disclosing a collapsible categorization table for a database), Boothby (disclosing a program for synchronizing a subset of the records of two databases) nor Lamburt (disclosing a data update matching technique), teaches or suggests generating a data item count for each selected data grouping, as recited by Claims 1 and 37, or

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<sup>2</sup> *See*, Office Action at Page 5 (5<sup>th</sup> Paragraph), Page 8 (3<sup>rd</sup> Paragraph), Page 13 (line 5), Page 15 (3<sup>rd</sup> Paragraph).

generating a summary result that includes a data item count for each user-selected data grouping, as recited by Claims 15 and 25.

Accordingly, these claims are allowable over the cited references. Claims 2–14, depending from Claim 1, Claims 16–24, depending from Claim 15, Claims 26–36, depending from Claim 25 and Claims 38–48, depending from Claim 37, are also allowable, at least for the reasons discussed above.

Moreover, many of the features recited by the dependent claims are simply not disclosed by any of the cited references, and, accordingly, these claims are independently allowable. Many of these features are discussed below.

Claim 2 recites updating the filter tree table with selectable data groupings associated with the plurality of data items. The Office Action alleges that Sawyer’s portfolio 370 is a filter tree table and that “the new items are satisfied the criteria populate the portfolio 370” (Page 4); Applicants disagree. Sawyer’s portfolio 370 is merely a list of data items that meet his filter’s search criteria (Col. 4:34–62), i.e., a list of filtered data, and not a filter tree table, as recited by Claim 2. *To wit*, the claimed filter tree table includes a plurality of selectable data groupings that are associated with a plurality of data items in an unfiltered data table, as recited by base Claim 1. Sawyer simply fails to teach or suggest these features, and none of the remaining references cures Sawyer’s deficiencies. Consequently, Claim 2 is independently allowable over the cited prior art.

Claims 3, 15 and 25 recite, *inter alia*, generating a summary query based on the selected data groupings, running the summary query against the filtered data table, generating summary results including a data item count for each selected data grouping and updating the filter tree table with the summary results. The Office Action alleges that Sawyer and Lamburt, in combination, teach these features (Pages 11–12 and 15–16); Applicants disagree. Fundamentally, Sawyer fails to disclose the claimed summary query. At most, Sawyer generates a filter query, which analyzer 108 applies to database 106 in order to generate the list of items that meet the criteria, i.e., portfolio 370 (Col. 4:34–62). The claimed summary query is run against the filtered data table to produce summary results including the data item count for each selectable data grouping, as recited by Claims 3, 15 and 25. *See*, also, Specification at Page 19. Sawyer simply fails to teach or suggest these features, and neither

Lamburt, nor any of the remaining references, cures Sawyer’s deficiencies. Consequently, Claims 3, 15 and 25 are independently allowable over the cited prior art.

Claims 8, 18 and 30 recite a filter tree table that has a first filter level that corresponds to a column in the data set. The Office Action alleges that the “filter tree corresponding to the records in the portfolio 370” (Page 5) and that “each level of the tier corresponding to the data in portfolio 370” (Pages 14 and 17) anticipate these features; Applicants disagree. As discussed above, Sawyer’s portfolio 370 is a list of filtered data (Col. 4:34–62), which is not the claimed filter tree table. Further, Sawyer’s tiers clearly do not correspond to columns in a data set. Instead, Sawyer’s tiers simply group library search terms together using the Boolean “OR” operator (Col. 5:40–57). Accordingly, Sawyer fails to teach or suggest these features, and none of the remaining references cures Sawyer’s deficiencies. Consequently, Claims 8, 18 and 30 are independently allowable over the cited prior art.

Claim 9 recites displaying the data item count for a particular data grouping. The Office Action alleges that the “total number of ticker return” (Page 5) anticipates this feature; Applicants disagree. As discussed above, Sawyer merely displays the total number of matches corresponding to all of the search terms within his filter (i.e., total number of tickers 372). *See*, FIG. 3; Col. 4:59–62. Sawyer simply fails to teach or suggest generating, much less displaying, data item counts, and none of the remaining references cures Sawyer’s deficiencies. Consequently, Claim 9 is independently allowable over the cited prior art.

Claims 10, 19 and 31 recite updating all data item counts upon a data grouping selection or de-selection by the user. The Office Action alleges that the “total number of ticker 372 are continually updated” (Pages 14 and 17) anticipates this feature; Applicants disagree. As discussed above, Sawyer simply fails to teach or suggest generating, much less updating, data item counts, and none of the remaining references cures Sawyer’s deficiencies. Consequently, Claims 10, 19 and 31 are independently allowable over the cited prior art.

Claims 11, 20 and 32 recite that all data groupings are automatically recalculated upon a selection or de-selection by the user. The Office Action alleges that the “total number of ticker 372 are continually updated which mean the number is recalculated” (Pages 14 and 17) anticipates this feature; Applicants disagree. Sawyer’s total number of tickers 372 is clearly not a data item grouping. Further, Sawyer simply fails to teach or suggest recalculating data item groupings. *See*, e.g., Specification at Pages 23, 25, 29, 30, etc. None of the remaining

references cures Sawyer's deficiencies. Consequently, Claims 11, 20 and 32 are independently allowable over the cited prior art.

In view of the foregoing amendments and remarks, Applicants respectfully submit that this application is in condition for allowance and should now be passed to issue.

A Notice of Allowance is respectfully solicited.

If any extension of time is required in connection with the filing of this paper and has not been requested separately, such extension is hereby requested.

The Commissioner is hereby authorized to charge any fees and to credit any overpayments that may be required by this paper under 37 C.F.R. §§ 1.16 and 1.17 to Deposit Account No. 02-2135.

Respectfully submitted,



By: \_\_\_\_\_

November 23, 2007

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